

Memorandum

TO: Roland Driest, DC Surveyor
Matthew LeGrant, Zoning Administrator

FROM: *JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: February 22, 2016

SUBJECT: Office of Planning Report for Large Tract Review Case No. 2015-03
901 4th Street, N.W. (Square 527, Lot 20)

I. Summary

On November 25, 2015 Goulston & Storrs PC submitted and the Office of Planning (OP) accepted an application for Large Tract Review (LTR) on behalf of the District of Columbia Bar Association (the “applicant”). The applicant seeks to develop an eight-story mixed-use building with ground floor retail and seven floors of office above. Sixty-six parking spaces would be provided within a two-level below-grade parking garage, and an additional seventeen spaces would be provided within a surface parking lot east of the building. The building would serve as the new headquarters of the DC Bar Association.

Section 2300.1 (a) of Title 10 of the District of Columbia Municipal Regulations (DCMR) directs the Office of Planning to “Review, prior to the filing of applications for building or construction permits, ... any commercial or mixed-use commercial development of fifty-thousand square feet (50,000 ft²) or more gross floor area (above grade) and cellar area (below grade)”. This otherwise by-right development proposal is subject to Large Tract Review because it is a commercial development of more than 50,000 square feet.

The Office of Planning has completed its review of this application and concludes that for the reasons outlined in this report the application addresses the goals of the LTR regulations as outlined in DCMR Title 10, Chapter 23, § 2300.2. Those goals are:

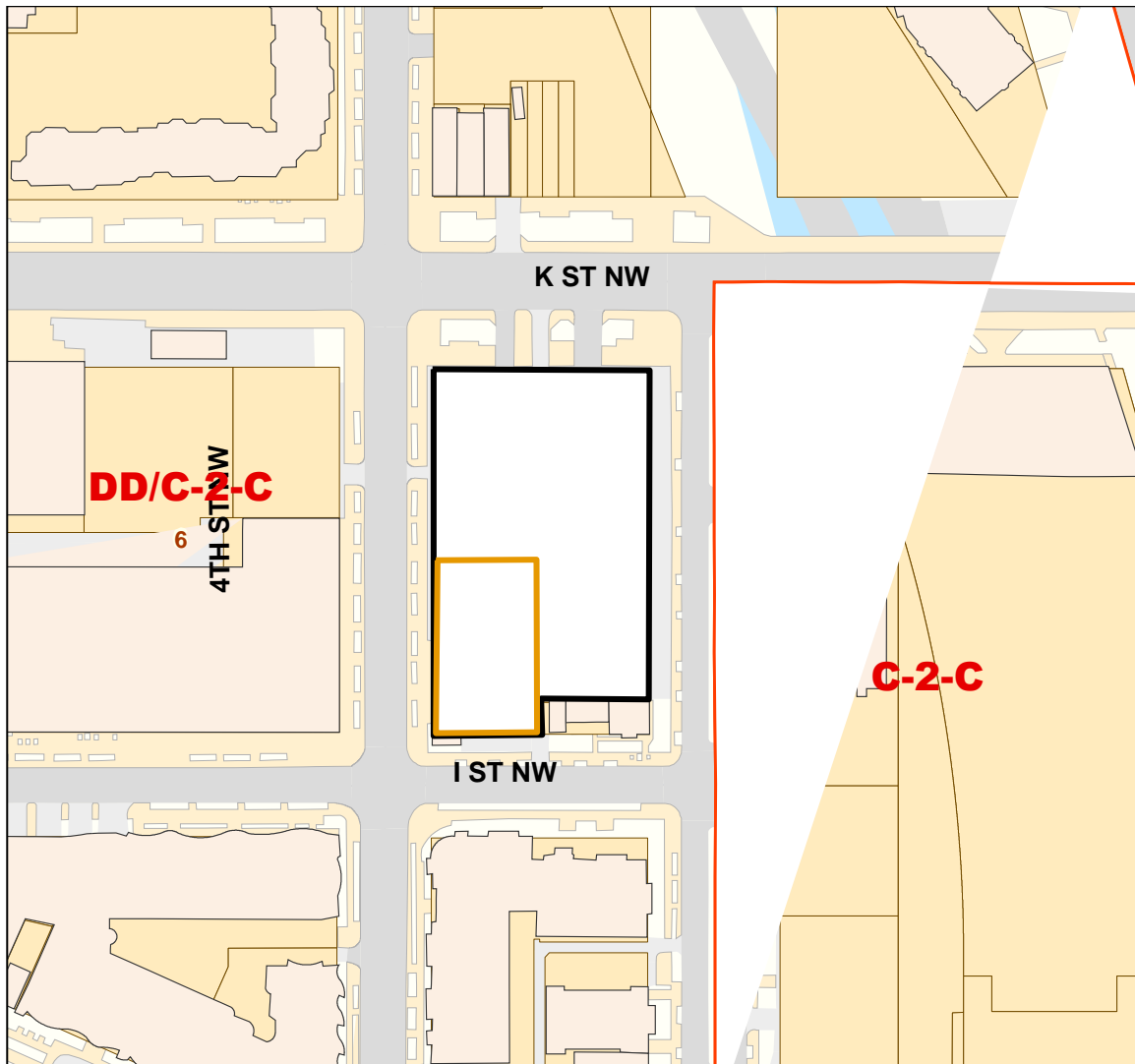
- To minimize adverse environmental, traffic, and neighborhood impacts;
- To avoid unnecessary public costs in terms of new services or facilities required of city agencies;
- To carry out the policies of the District Elements of the Comprehensive Plan.

II. Location and Area Description

The subject property is located on the north side of “Eye” Street, the south side of K Street, the west side of 3rd Street and the east side of 4th Street. The proposed building would be located on approximately one-quarter of the site, at the corner of 4th and Eye, with a seventeen space parking lot to the east, between the building and 3rd Street.

To the north, across Eye Street, are one-story, two-story and three-story buildings are proposed to be replaced by a fourteen-story building with an eleven story hotel and two floors of residential (see BZA Case 19169). To the south, across Eye Street, is a twelve-story residential building. To the west, across 4th Street, is a seven-story office building with ground floor commercial space and a surface

parking lot at 4th and K Street. To the east of the proposed building, within the subject square, is a historic row house, and across 3rd Street is a church and eight-story apartment building with ground floor commercial space.



The Judiciary Square Metrorail station on the Red Line is located approximately six blocks to the south of the subject property.

III. Site Description

Lot 20, Square 527 occupies the majority of the square, with the exception of the southeast corner. The proposed building would be located in the southwest corner of Lot 20, occupying approximately one-quarter of the lot. Topography of the site is relatively level. A trailer is located on the building site at the corner of 4th and Eye. The remainder of the lot is used for off-street parking.

There is no public alley access. A north/south public alley within the square was closed pursuant to S.O. 03-1181 and a minimum twenty-foot wide east-west easement provided in its place with the “right to

install security devices as customarily provided in first-class commercial buildings in downtown Washington.” (see Declaration of Covenants, Mount Vernon Development Group, November 11, 2009)

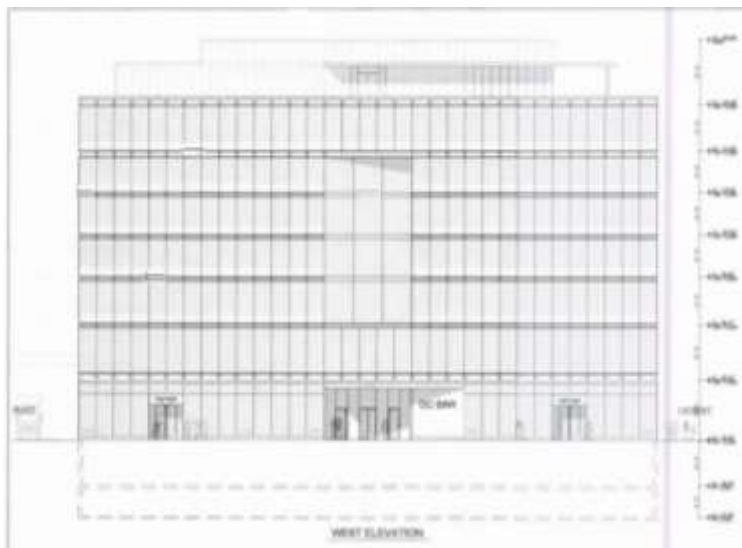
The building site is 95 feet wide along Eye Street and 165 feet wide along Fourth Street. It is improved with a gravel parking lot and a double-wide trailer at the corner of 4th and Eye. Fencing encloses the



View from 4th and Eye streets, N.E.

parking lot facility on the remainder of the lot, with vehicular entrances from Eye Street, K Street and 4th Street. An existing row house at the corner of 3rd and Eye is not a part of the subject property. The existing trailer and a portion of the existing surface parking lot are proposed to be removed for the construction of the new building.

The subject property is subject to a Combined Lot Development Covenant dated November 20, 2015, transferring the residential development rights to Square 5978 in the 200 block of Savannah Street, S.E. and the 3300 block of 4th Street, S.E.



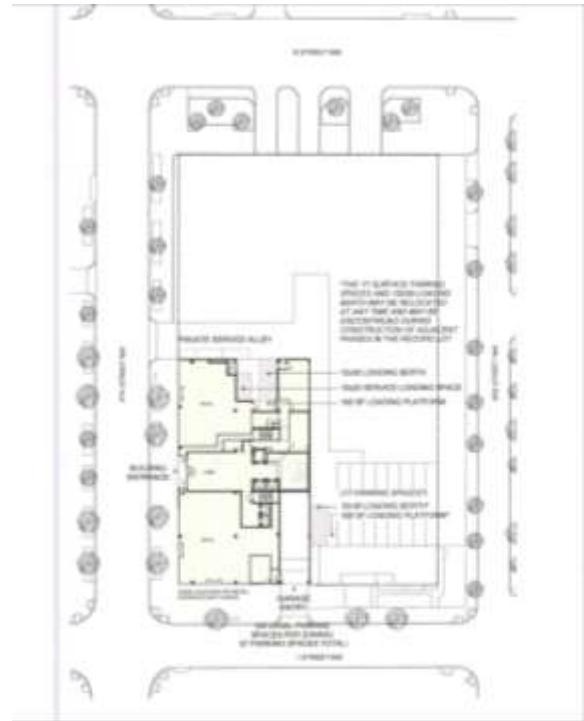
IV. Application and Project Description

The applicant proposes to construct an eight-story building, 114 feet in height with 6,086 square feet of retail on the ground floor and 96,086 square feet of office space above. The ground floor would include a lobby for the office building directly accessible from 4th Street, and two retail spaces, one each on either side of the lobby, with a floor-to-ceiling height of seventeen feet. All upper floors would be devoted to office use. After the second floor the building footprint would step back from the third through seventh floors on the east side of the structure, allowing for a small outdoor

terrace on the southeast side of the building. The eighth floor would be improved with a larger outdoor terrace on the south side of the building and a green roof on the north. A green roof would be installed atop much of the eighth floor.

Sixty-six parking spaces would be provided within the building on two below-grade levels, including vault spaces that will require approval from the Public Space Committee. One thirty-foot loading berth and one one-hundred square-foot loading platform, plus a twenty-foot service loading space would be located within the building. On a surface parking lot east of the building and north of the adjoining row house would be a seventeen space parking lot with a thirty-foot loading berth and a one-hundred square-foot loading platform. Access to the loading and the surface parking would be via the east/west alley easement from 4th Street. Access to the below-grade parking garage would be from a curb cut on Eye Street. This curb cut would require the approval of the Public Space Committee and DDOT.

This building would be the first of four structures planned for the site, all of which would share off-street parking. Until the construction of those buildings the remainder of the site is proposed to continue to be used for off-street parking.

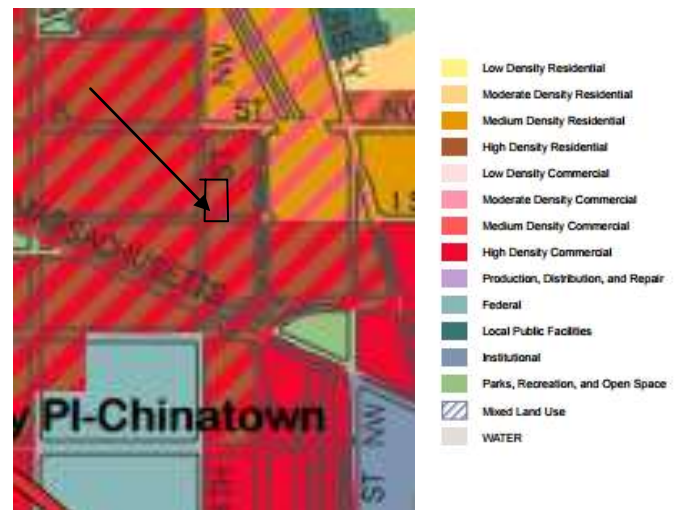


Comprehensive Plan

The proposed development would not be inconsistent with the written elements of the Comprehensive Plan, particularly the Land Use, Environmental Protection and Economic Development elements, and the Central Washington Area Element.

The **Comprehensive Plan Future Land Use Map**, shown to the right, designates the site for Mixed Land Use “High Density Commercial”, which is “*characterized by office and mixed office/retail buildings greater eight stories in height, although many lower scale buildings are interspersed*” and High Density Residential, “*where high-rise apartment buildings are the predominant use.*”

The proposed building would be a mixed use-retail/office surrounded by office and high-rise apartment buildings.





The **Generalized Policy Map**, shown to the left, identifies the majority of the subject property as “Land Use Change Areas.” These are “areas where change to a different land use is anticipated.” “Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities.”

This proposal would provide a mixed-use building with retail shops and workplaces.

The proposal would further the following policies of the Comprehensive Plan:

Land Use Element:

Policy LU-1.1.1: Sustaining a Strong City Center

Provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural, and residential center. Promote continued reinvestment in central city buildings, infrastructure, and public spaces; continued preservation and restoration of historic resources; and continued efforts to create safe, attractive, and pedestrian-friendly environments. 304.6

Policy LU-1.4.1: Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 307.5

Policy LU-1.4.2: Long-Term Vacant Sites

Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints. 307.6

Environmental Protection Element

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff

Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3

Economic Development

Policy ED-1.1.1: Core Industries

Continue to support and grow the District's core industries, particularly the federal government, professional and technical services, membership associations, education, hospitality, health care, and administrative support services. 703.9

Policy ED-2.1.1: Office Growth

Plan for an office sector that will continue to accommodate growth in government, government contractors, legal services, international business, trade associations, and other service-sector office industries. The primary location for this growth should be in Central Washington and in the emerging office centers along South Capitol Street and the Anacostia Waterfront. 707.6

Policy ED-2.2.1: Expanding the Retail Sector

Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas. 708.4

Policy ED-3.1.1: Neighborhood Commercial Vitality

Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. 713.5

Central Washington Area Element

Policy CW-2.1.2: Promoting Central Washington Shopping

Facilitate District and private sector efforts to market the Central Washington Retail Core as a shopping destination for District residents as well as for tourists and suburban residents, and to promote Central Washington as a preferred alternative to suburban shopping malls. Retail strategies for this area should be structured to avoid damaging the successful and strong regional retail economies in Georgetown and Friendship Heights. 1611.7

Policy CW-2.1.4: Establishing a Unique Identity for Downtown Shopping

Enhance the identity of the Downtown Retail Core as a unique shopping area. Design attention should be focused on the lower levels of buildings, with at grade retail frontages and frequent street-level store entrances.

V. Analysis of Compliance with 10 DCMR, Chapter 23, Large Tract Review Procedures

The application is subject to the submission requirements and review standards of Section 2301.3 because it is for a commercial development consisting of more than 50,000 square feet.

2301.3 *Applicants for commercial and mixed-use commercial development projects of fifty thousand square feet (50,000 ft.²) or more shall submit... the following documents:*

- (a) A completed certification form;*

Complies.

- (b) *The name, address and signature of all owners, or their authorized agent, and of property included in the area to be developed. If there is an agent, the applicant shall provide written authorization and the extent of the agent's authority;*

Complies.

- (c) *A map showing location of the proposed project and the existing zoning of the site;*

Complies.

- (d) *A statement indicating the contribution of the project toward implementing city and community goals and policies;*

Complies.

- (e) *A statement indicating the relationship of the proposed development to the objectives of the District Elements of the Comprehensive Plan for the National Capital;*

Complies. The applicant's statement contains a section indicating the relationship of the proposed plan development to the District Elements.

- (f) *A general site and development plan, indicating the proposed use, location, dimensions, number of stories and height of building;*

Provided. The application includes a set of drawings, all dated November 24, 2015, indicating the use, location, dimensions, stories and height of the proposed building.

- (g) *A general circulation plan, including the location of vehicular and pedestrian access ways, other public space and the location and number of all off-street parking and loading spaces, loading berths and service delivery spaces;*

Provided. The application contains a General Circulation Plan depicting pedestrian access to the building and vehicular access to the garage, location and access to the surface parking spaces, and location of and access to all loading facilities. Drawings "P1 Level Parking Plan" and "P2 Level Parking Plan" depict the location of the below-grade garage parking spaces.

- (h) *A typical floor plan;*

Complies. The application contains drawings for the first, second and third floors, as well as a typical floor plan for the remainder of the building.

- (i) *A general statement of the approximate schedule of building construction;*

The application indicates that construction is expected to commence in the second quarter of 2016, concluding in the fourth quarter of 2017.

- (j) *Vehicular trip generation, trip assignment and before and after capacity analysis and level of service at critical intersections; and*

The trip generation rate for the proposed building at the AM peak hour is 19 and 17 during the PM peak hour, less than the minimum of 25 required by DDOT for additional analysis. Therefore, no capacity analysis was performed.

(k) *Any other information needed to fully understand the final building proposed for the site.*

The applicant proposes to establish a curb cut from Eye Street for access to the below-grade parking garage beneath the building, instead of from the private alley on the north side of the building for security reasons. Additional information is necessary to document why adequate security cannot be provided from the alley, and why access from Eye Street would be more secure to the satisfaction of DDOT and the Public Space Committee.

VI. Departmental Responses

Application materials were distributed to the following District departments for review and comment:

- Department of Consumer and Regulatory Affairs (DCRA)
- District Department of Energy and the Environment (DOEE)
- District of Columbia Water and Sewer Authority (DC Water)
- Department of Public Works (DPW)
- District Department of Transportation (DDOT)
- Fire and Emergency Medical Services (FEMS)
- Metropolitan Police Department (MPD)
- Office of the Attorney General (OAG)

The Office of Planning hosted an interagency meeting on January 27, 2016 on the application. Agencies in attendance included the following:

- Office of Planning;
- District Department of Energy and Environment;
- District of Columbia Water and Sewer Authority;
- District Department of Transportation; and
- Metropolitan Police Department.

Office of Planning

The Design Division recommended the applicant consider commercial uses that spill out onto the street, such as café seating, for the ground floor retail space.

District Department of Energy and Environment

DOEE made the following recommendations:

- Consider use of solar panels on the roof, which do contribute toward GAR. If not installed building should be made solar panel ready for when they become a requirement.
- Consider use of shading devices on south side of building;

- Use bird-friendly glass.
- Certify and register the building with LEED for New Construction, preferably LEED Gold or higher.

District of Columbia Water and Sewer Authority

DC Water suggested the applicant obtain water for the site from the newer mains in 4th Street and had no comments regarding sewer.

District Department of Transportation

DDOT indicated that the proposed curb cut from Eye Street is contrary to its policy and standards on site access, which does not permit curb cuts if alley access is available (see DDOT Design and Engineering Manual 31.2.2.1). Garage access and necessary security measures should be provided from the newly established private east-west alley on the north side of the building in conformity with DDOT standards. Any request for a curb cut would require approval from the Public Space Committee.

Metropolitan Police Department

Car thefts are a problem in the area. Applicant should consider the use of security cameras, CCTV and the provision of adequate parking.

No other agencies commented on this application.

VII. Community Review

The Office of Planning provided a copy of the application to:

- ANC 6E; and
- Watha T. Daniel/Shaw Library to be made available for review by the public.

Notice of the application was distributed to the following for review and comment:

- Property owners within 200 feet of the site.

ANC 6E: The site is located within the boundaries of ANC 6E07. ANC 6E held a community meeting on January 5, 2016 where the applicant presented the proposal to the community. The ANC voted to approve the application.

No other comments were received.

VIII. LTR Application Findings

The project proposed by this Large Tract Review Application is generally consistent with the purposes and goals of the LTR regulations and is not inconsistent with the Comprehensive Plan. OP recommends the applicant consider the recommendations made by District agencies as noted above, and to continue to work with DDOT and the Public Space Committee to resolve the issue of the proposed curb cut from Eye Street prior to the issuance of building permits.

cc: Allison Prince, Goulston & Storrs, P.C.
Christine Roddy, Goulston & Storrs, P.C.
Bob Knopf III, Quadrangle Development Corporation

JS/sjm^{AICP}
Stephen J. Mordfin, AICP, Project Manager